

Remarks/Arguments

Reconsideration of this application is requested.

Claim Status

Claims 13, 14, 17, 18, 21, 25-27 and 31 were previously presented and remain pending. Claims 13, 17 and 31 are amended.

Claim Rejections – 35 USC 103(a)

Claims 13, 14, 17, 18, 21, 25-27 and 31 are rejected under 35 USC 103(a) as obvious over Irube (US 6,377,818) in view of Brisebois et al. (US 6,310,944). Applicant respectfully traverses these rejections and amends claims 13, 17 and 31 to clarify the distinctions of the present invention relative to Irube and Brisebois.

In particular claims 13 and 17 are amended to recite a mobile communication terminal comprising:

...a control unit which activates an application program, displays contents, and outputs contents in correspondence with the data type information, which is appended to incoming information...

Similarly, claim 31 is amended to recite a mobile communication method comprising:

...activating an application program in correspondence with data type information...

This feature is extremely advantageous in that the amount of control which must be executed by the user can be greatly reduced. For example, if the data type information is identified as sound data, the control unit may automatically activate a voice application to establish voice communication. Similarly, if the data type information is identified as text data, the control unit may automatically activate an email application to establish text communication. If the data type information

is identified as image and sound data, the control unit may automatically activates a video phone application to establish video telephone communication.

In reference to this feature of applicant's claims, the Action concedes that *"Irube differs from the claimed invention in not specifically teaching...a control unit which selects one of the application programs in correspondence with the data type information"*, but asserts that Brisebois remedies this deficiency. Applicant respectfully disagrees.

Brisebois states, at column 3, lines 63-65, *"If, for example, the calling party requests a voice and video call, the called party would be apprised of this context information"*. As an example of the method for apprising the called party of the context information, Brisebois states, at column 4, lines 33-35, that *"the calling party could attain a topic header to the communication event. This topic header could be in the form of a text message or of a voice announcement played between rings of the called party's telephone."*

However, Brisebois does not disclose that a control unit automatically controls the communication method by identifying the context information, as is required by applicant's claims. Rather, apprising the called party of the context information is discussed solely as enabling the called party to decide whether and how to accept the call by identifying the context information. Brisebois clearly explains, at column 2, lines 46-49, that *"This added information can inform the called party about the context of that particular call to help decide whether and how to accept the call."* The Action asserts that column 2, lines 39-54 and column 3, line 50 to column 4, line 21 of Brisebois contains disclosure that meets applicant's claim elements. This is not the case. The entire discussion at the referenced locations is directed to decisions and actions the called party may choose to take after being apprised of the context information.

In sum, Brisebois is completely silent about a control unit which activates an application program, displays contents, and outputs contents, in correspondence with the data type information that is appended to in-coming information. Thus,

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Claims 13, 14, 17, 18, 21, 25-27 and 31 are not rendered obvious by Irube and Brisebois. The rejections under 35 USC 103(a) should be withdrawn.

Conclusion

This application is now believed to be in condition for allowance. This amendment is properly admissible under 37 CFR 1.116(b) since it merely clarifies matters already at issue in this application, and does not raise new issues requiring further search and consideration. The examiner is invited to telephone the undersigned to resolve any issues that remain after entry of this amendment. Any fees due with this response may be charged to our Deposit Account No. 50-1314.

Respectfully submitted,
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